

**THE HONOURABLE SRI JUSTICE V. ESWARAI AH**

**WRIT PETITON NO.2945 OF 2006**

**DATED: 17-02-2006**

**BETWEEN:**

Pala Krishna Reddy ... Petitioner

And

The District Panchayat Officer, Nellore, A.P.

And two others ... Respondents

**THE HONOURABLE SRI JUSTICE V. ESWARAI AH**

**WRIT PETITON NO.2945 OF 2006**

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**ORDER:**

Petitioner filed this writ petition seeking to direct the first respondent to dispose of the appeal filed against rejection of approval of plan by the 2<sup>nd</sup> respondent dt.16-09-2005 while directing the respondents to permit him to carry on his business by raising temporary structures in the patta land allotted on 17-07-1999 in an extent of Ac.0.01 cents in Survey No.395 & 396 of Kaluvoya village, Nellore District.

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for the respondents and perused the material available on record.

The learned counsel appearing for the petitioner stated that the petitioner was the assignee of an extent of Ac.0.01 cent in Survey Nos.395 and 396 of Kaluvoya village and Mandal, Nellore District vide proceedings No.RC.B.260/99 dated 17-07-

99 by the Revenue Divisional Officer, Kaluvoya, subject to certain conditions. It is stated that the petitioner has filed an application for the construction of a house, but the said application has been rejected. As the petitioner wanted to construct a house in the land of the Gram Panchayat and the application does not disclose any particulars and therefore the plan was returned. It is further stated that the petitioner has failed to fulfill the Clause No.4 of the patta as he has failed to construct the house within six months. Aggrieved by the said rejection order made by the Panchayat Secretary, Gram Panchayat dated 16-09-2005 petitioner filed an appeal before the first respondent on 27-09-2005.

Having regard to the fact that an appeal has already been pending before the first respondent, and this writ petition is filed to direct the first respondent to consider and dispose of the appeal filed against the rejection order passed by the second respondent, without entering into the merits of the case, the first respondent is directed to consider and dispose of the appeal if it is pending and received in accordance with law after giving reasonable opportunity to the petitioner within eight weeks from the date of receipt of a copy of this order.

Writ petition is accordingly disposed of. No order as to costs.

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**V. ESWARAIAH, J.**

**Dated: 17-02-2006**

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